

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LAWRENCE MOORE, :
Plaintiff, :
: :
v. : 02-CV-4555
: :
COMMISSIONER PAUL J. EVANKO, et al., :
Defendants. :
:

ORDER

On April 1 and May 7, 2003, defendants filed Motions to Compel Plaintiff's Deposition.

On May 9, 2003 I order plaintiff to show cause why these motions should not be granted.

Plaintiff never responded to my order. Thus, on June 3, 2004, I granted defendants' motions.

Plaintiff refused to comply with my order compelling his deposition, and so, on July 7, 2003, defendants filed a motion to dismiss based on plaintiff's failure to comply. On July 14, 2003, I ordered plaintiff to show cause why defendants' motion to dismiss should not be granted.

Plaintiff again refused to respond. This litigation cannot progress without plaintiff's deposition.

In light of his plaintiff's persistent refusal to comply with my orders, I have no choice but to grant defendants' motion. **AND NOW**, this _____ day of August, 2003, defendants' Motions to Dismiss with Prejudice (Docket Entry ## 29, 32) is **GRANTED**. Plaintiff's Complaint is dismissed with prejudice and the Clerk's Office is directed to mark this action closed for statistical purposes.

ANITA B. BRODY, J.

Copies **FAXED** on _____ to:

Copies **MAILED** on _____ to: